

April 15, 2025

Re: College NIL Litigation, Case No. 4:20-cv-03919

To The Honorable Judge Claudia Wilken,

I am writing to you today as a prep baseball coach for 35 years in support of phasing in roster limits or, if the NCAA and plaintiffs refuse, to deny the settlement as written because of the harm to current NCAA athletes and especially those in the 2025 class, with whom I have particular knowledge.

I have been part of two generations of athletes competing on the field, many of whom have gone on to play NCAA baseball. In the 1990's the elite high school players who were gifted enough went on to play, however my current cohort of players have worked extremely hard to attain the benefits of playing college baseball. The current classes of players' families have witnessed the extraordinarily rising costs of a college education, and combined with the desire to play baseball at the next level, the desire to defray costs has led them to expensive and time-consuming efforts to help achieve the dream.

My son is one of the lucky athletes who were able to sign to play Division 1 baseball beginning in Fall 2025. Two of his senior class high school teammates were cut prior to signing day in November from schools to which they were verbally committed for over a year, and were told the reason was the pending roster limits. I've witnessed the late cuts last fall of dozens of other athletes in Virginia as well as hundreds nationwide with whom I've become familiar through the years. An immediate implementation of roster limits will continue disrupting the college baseball landscape well into 2026 as those (like my son) who report to campus in September may be on the chopping block as rosters must be to the limit in December. The reason you have seen fewer objectors than the reality is that many families with whom I've spoken are desperately afraid of "rocking the boat" in their quests to find another home for their athlete.

The roster limits could easily be grandfathered in, much like the Covid-year waivers the NCAA implemented and which now have run their course. The NCAA defense of roster limits by citing the positives of increased scholarships are a ruse. Increasing scholarships is ALLOWED, not mandated, and most schools are NOT increasing scholarships, especially to sports other than football and men's basketball. We intuit that this is because of the disincentive of schools' increasing scholarships counting against the revenue share cap. Few will want to take rev-share money away from the exploding market for football and basketball players to pay for baseball players' scholarships.

Current baseball rosters average around 43 for D1 baseball, and if the roster limits go into effect this will necessitate cutting thousands of current and 2025-attending players who've done nothing wrong to warrant the immediate release from their schools of choice. So the implications, especially in the near term for current and 2025-attending athletes are huge.

I respectfully urge the Court to deny this settlement because of the harm it will cause and has already caused to the current and near-term NCAA athletes and because the benefits of some economic rights do not outweigh this unfairness.

Michael Lillard
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